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Statement of Rep. Christopher Shays September 13, 2003

All nineteen terrorists responsible for the 9/11 attacks obtained legitimate visas to enter the United States. Many should have been flagged as suspicious somewhere along the way, but were not. Would they be able to get visas today? Four years later, the answer to that question is still an unsettling, "Probably not, but maybe."

Without question, the visa process has been strengthened as a security tool. The Department of State has improved training of consular officers and standardized many critical visa adjudication steps from embassy to embassy. Technology has been deployed to improve the speed and effectiveness of a very labor intensive system. Fingerprints are collected, identities are verified, and everyone who wants to visit the United States must be interviewed.

But weaknesses and gaps remain in the visa process that could be exploited by those determined to do us harm. Key policies still lack clarity. State's consular staffing patterns often do not reflect current threats and new workloads. Training should be more focused on terrorism travel patterns and fraud prevention. Information sharing, although significantly improved, could be better. And the Visa Security Program of the Department of Homeland Security (DHS) lacks strategic direction.

In a report released today, the Government Accountability Office (GAO) recommends the State Department clarify visa procedures and better focus consular resources on visa posts based on national security implications and workloads. Junior officers should not be dropped into high threat, high volume posts without language skills and adequate senior supervision. But that is still happening.

GAO also recommends Congress increase the limited access consular officers get to the FBI criminal history records maintained by the National Crime Information Center (NCIC). Consular officers today cannot tell whether an individual "hit" on the NCIC database represents a major crime or an overdue speeding ticket. The necessary follow-up request to the FBI can take weeks to produce an answer that could be retrieved in just minutes.

Recognizing the national security implications of the visa process, Congress charged DHS to set overall visa policy. As part of that mandate, DHS was specifically tasked to place visa security officers (VSOs) in Saudi Arabia and elsewhere. But after two years, DHS has no qualitative or quantitative assessment of VSO activities in Saudi Arabia. There is no strategic plan to guide deployment of VSOs elsewhere.

Balancing the demands of national security against the very real need to facilitate commerce, education and tourism will never be easy. If we are to remain a welcoming and secure nation, the visa process must function as an efficient and effective portal, admitting those who would enrich our culture while denying entry to those who seek to destroy it.

Our witnesses bring a wealth of expertise and a breadth of experience to this discussion of visa security. We appreciate their willingness to be here today, and we look forward to their testimony.